

S. 1460: A New Energy and Resources Bill for the 115th Congress

July 10, 2017

On June 28, Senators Murkowski and Cantwell (Chair and Ranking Member, respectively, of the Energy and Natural Resources Committee) introduced S. 1460, the Energy and Natural Resources Act of 2017. The next day, the bill was read a second time and placed on the Senate calendar. S. 1460 has many similarities, but also significant differences, with the Senate-passed version of S. 2012, the comprehensive energy and natural resources bill in the 114th Congress (see CRS Report R44291, *Energy Legislation: Comparison of Selected Provisions in S. 2012 as Passed by the House and Senate*, by Brent D. Yacobucci). Although both the House and Senate each passed a version of S. 2012, the Conference Committee on the bill was unable to reach an agreement on reconciled language.

The new bill has two divisions, Division A—Energy, and Division B—Natural Resources.

Related and Incorporated Bills

S. 1460 contains a majority of the provisions from the Senate version of S. 2012 (S. 2012 ES), and also includes language from a broad range of more targeted bills in the 115th Congress. These include:

- S. 239, the Energy Savings Through Public-Private Partnerships Act of 2017;
- S. 245, the Indian Tribal Energy Development and Self-Determination Act Amendments of 2017
- S. 385, the Energy Savings and Industrial Competitiveness Act;
- S. 698, the National Landslide Preparedness Act;
- S. 714, the Yakima River Basin Water Enhancement Project Phase III Act of 2017;
- S. 733, the Sportsmen’s Act;
- S. 857, the African American Civil Rights Network Act; and
- S. 1225, the Vehicle Innovation Act of 2017.

Energy

Division A is divided into four titles:

- Title I—Efficiency;
- Title II—Infrastructure;

- Title III—Supply; and
- Title IV—Accountability.

These four titles largely mirror the structure of last year’s bill, although there are some key differences between S. 1460 and S. 2012. For example, S. 1460 maintains provisions on energy efficiency for sectors such as buildings, transportation, schools, and manufacturing, while provisions related to standards for furnaces, commercial refrigeration systems, and air conditioning units are not included. S. 1460 maintains provisions to expedite liquefied natural gas (LNG) exports and provision on coal research and development. Other changes include modifications to provisions on R&D in nuclear energy, solar power, high-energy physics, and electrical energy storage. The bill contains similar provisions on energy markets, critical minerals development, and helium supply.

Natural Resources

Division B is divided into seven titles:

- Title V—Conservation Authorizations;
- Title VI—Land Conveyances and Related Matters;
- Title VII—National Park System Management, Studies, and Related Matters;
- Title VIII—Sportsmen’s Access and Related Matters;
- Title IX—Water Infrastructure and Related Matters;
- Title X—Natural Hazards; and
- Title XI—Indian Energy.

Most notably, while S. 2012 as passed by the Senate contained an entire title reauthorizing EPA’s Brownfields Program, S. 1460 contains no similar language. Also, the new bill does not carry over provisions on western water, drought, and fish habitat conservation; these provisions were largely included in P.L. 114-322, which was enacted in the previous Congress. S. 1460 contains a new title on natural hazards, establishing a volcano early warning system and a landslide hazard reduction program (Title X). Title XI, on Indian Energy, is substantially similar to last year’s bill, as are provisions in Title V (Conservation Authorizations) on the National Park Service Maintenance and Conservation Fund, the Land and Water Conservation Fund (LWCF), and the Historic Preservation Fund. Title VIII, on sportsmen’s access, is largely similar except that S. 1460 adds a new section on permission to carry firearms at Army Corps of Engineers projects. Title VI on land conveyances, designations, and withdrawals contains many different provisions from S. 2012 ES—including provisions on Cow Creek Umpqua land, Pascua Yaqui Tribe land, and Oregon coastal land. Additions in Title VII on the National Park System (NPS) include the establishment of an African American Civil Rights Network among relevant NPS units; and National Heritage Area designations for the Appalachian Forest (WV, MD), Maritime Washington (WA), Mountains to Sound Greenway (WA), Sacramento-San Joaquin Delta (CA), and Susquehanna (PA) National Heritage Areas.

Author Information

Brent D. Yacobucci
Section Research Manager

Pervaze A. Sheikh
Acting Section Research Manager

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